

REMARKS/ARGUMENTS

The rejections presented in the Office Action dated May 21, 2007 (hereinafter Office Action) have been considered, and reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

With respect to the objection to the Abstract, the Abstract has been amended to delete the reference to Figure 2 in accordance with the Examiner's suggestions. As this change is believed to overcome the objection, Applicant requests that the objection be removed.

With respect to the objection to the Specification, the general reference to the claims does not appear to be improper and no authority has been provided in support of the objection. However, in an effort to facilitate prosecution, paragraph [0008] has been amended to remove the general references to the claims. As the objection is believed to be overcome, Applicant requests that the objection be removed.

With respect to the objection to the drawings, Fig. 1, and only Fig. 1, has been amended to be labeled as "Prior Art" in accordance with the Examiner's suggestions. As the objection is believed to be overcome, Applicant requests that the objection be removed.

With respect to the §101 rejection of Claims 1-7, Applicant respectfully traverses because the claims are clearly directed to statutory subject matter. As indicated in the rejection, claims directed to a process, machine or manufacture are considered statutory subject matter. Claims 1-4 are directed to methods, and Claims 5-7 are directed to devices, namely, sine-wave oscillators. Thus, Claims 1-7 are not directed to a program as asserted and instead are directed to statutory subject matter. Applicant accordingly requests that the rejection of Claims 1-7 be withdrawn.

With respect to the §101 rejection of Claim 8, Claim 8 has been amended to characterize that the software product is stored on a computer readable medium such that it is structurally and functionally interrelated to the medium in accordance with the Examiner's suggestions. Consistent with MPEP §2106.01, Applicant submits that Claim 8 is directed to statutory subject matter and accordingly requests that the rejection be withdrawn.

As the §101 rejection is the only ground of rejection presented against Claims 3-8 and that rejection should be withdrawn in view of the above arguments and amendments, Applicant submits that Claims 3-8 are in condition for allowance. Applicant accordingly requests that Claims 3-8 be allowed.

With respect to the §102(a) rejection of Claims 1 and 2, Claim 1 has been amended to characterize that the limitations directed to decimating are not conditional and to characterize that the claimed multiple is not equal to one. As discussed in paragraphs [0024] and [0025], the sine-wave oscillator illustrated in Fig. 1 does not perform at least the claimed decimating step. Thus, the sine-wave oscillator of Fig. 1 does not correspond to the claimed method and does not anticipate Claims 1 and 2. Applicant accordingly requests that the §102(a) rejection be withdrawn.

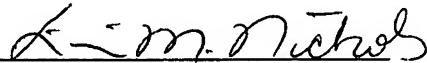
In addition, new Claims 9 and 10 have been added. The subject matter of these claims largely corresponds to the subject matter of original Claims 5 and 6; therefore, these claims do not introduce new matter. New Claims 9 and 10 are also believed to be patentable for the reasons discussed above in connection with Claims 5 and 6.

Authorization is given to charge Deposit Account No. 50-3581 (KOLS.092PA) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the undersigned attorney of record invites the Examiner to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

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By: 

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AMENDMENTS TO THE DRAWINGS

The attached drawing sheet includes changes to Fig. 1 and replaces the original drawing sheet containing Figs. 1-2.

The changes to this figure are further discussed in the Remarks beginning on page 11 of this paper.

No changes have been made to Fig. 2.

Attachment: Replacement drawing sheet including Figs. 1-2